REMARKS

Claims 2-7, 9-16 and 18-28 have been examined on their merits.

Applicant thanks the Patent Office for indicating that claims 18-28 are allowed.

Claims 2-7, 9-16 and 18-28 are all the claims presently pending in the application.

1. Claims 2, 4-6, 9 and 11-13 stand rejected under 35 U.S.C § 103(a) as allegedly being unpatentable over Amrany *et al.* (U.S. Patent No. 6,144,733) in view of Freimanis (U.S. Patent No. 4,042,786). Applicant traverses the § 103(a) rejection of claims 2, 4-6, 9 and 11-13 for at least the reasons discussed below.

The Patent Office acknowledges that Amrany *et al.* fail to teach or suggest a ringing indication signal that has a voltage of less than 30 VRMS. The Patent Office alleges, however, that Freimanis supplies the necessary disclosure to overcome the acknowledged deficiencies of Amrany *et al.*

The combination of Amrany *et al.* fail to teach or suggest at least the generation of a conventional ringing signal by the detection of a ringing indication signal having a voltage amplitude less than 30 V RMS and comprising a spectrum that lacks detectable components in a frequency band that is used for digital data signals, as recited in claim 5. Amrany *et al.* disclose, *inter alia*, conventional ring generation circuitry (50) that generates a ring signal to cause a telephone or other POTS equipment to ring at a customer premises. *See, e.g.*, col. 4, lines 36-39 of Amrany *et al.* Unlike the present invention, Amrany *et al.* disclose that a conventional ringing signal is generated at the central office, not at the customer premises. Furthermore, Amrany *et*

al. disclose a conventional ringing signal, whereas the present invention recites a ringing indication signal that, upon detection, causes the generation of a conventional ringing signal at the customer premises. The combination of Freimanis with Amrany *et al.* fails to overcome the above deficiencies of Amrany *et al.* Freimanis discloses, *inter alia*, the use of high frequency tone signals to activate a telephone ringer circuit. The combination of Amrany *et al.* and Freimanis fails, however, to teach or suggest at least a ringing indication signal that comprises a spectrum that lacks detectable components in a frequency band that is used for digital data signals. One signal in Freimanis is a conventional, high-voltage ringing signal with unavoidable disturbing harmonics in the digital data frequency band. *See, e.g.,* col. 2, lines 31-35 of Freimanis. The other signal is a high frequency tone signal that would likely have spectral components in the frequency band used for digital data signals. Thus, Applicant submits that the Patent Office cannot fulfill the "all limitations" prong of a *prima facie* case of obviousness, as required by *In re Vaeck*, 20 U.S.P.Q.2d 1438, 1442 (Fed. Cir. 1991).

Furthermore, Applicant submits that one of skill in the art would not be motivated to combine the three references. The Amrany *et al.* and Freimanis lack any teaching about the desirability of generating a conventional ringing signal when a ringing indication signal is detected that has a voltage amplitude less than 30 V RMS and lacking detectable components in the frequency band for digital data signals at a time when a ringing signal is received. Thus, Applicant submits that the Patent Office cannot fulfill the motivation prong of a *prima facie* case of obviousness, as required by *In re Dembiczak*, 175 F.3d 994, 999 (Fed. Cir. 1999) and *In re Zurko*, 258 F.3d 1379, 1386 (Fed. Cir. 2001).

Based on the foregoing reasons, Applicant submits that the combination of Amrany *et al.* and Freimanis fails to teach or suggest all of the claimed elements as arranged in claim 5. Thus, Applicant submits that claim 5 is allowable, and further submit that claims 2, 4 and 6 are allowable as well, at least by virtue of their dependency from claim 5. Applicant respectfully requests that the Patent Office reconsider and withdraw the § 103(a) rejection of claims 2, 4, 5 and 6.

With respect to independent claim 12, Applicant submits that claim 12 is allowable over the combination of Amrany *et al.* and Freimanis for at least reasons analogous to those discussed above with respect to claim 5. Specifically, the combination of Amrany *et al.* and Freimanis fails to teach or suggest at least an analog telephone signals device connected to a splitter, wherein the analog telephone signals device generates a conventional ringing signal when it detects a ringing indication signal, the ringing indication signal having a voltage amplitude less than 30 V RMS and comprising a spectrum that lacks detectable components in a frequency band. Thus, Applicant submits that claim 12 is allowable, and further submit that claims 9, 11 and 13 are allowable as well, at least by virtue of their dependency from claim 12. Applicant respectfully requests that the Patent Office reconsider and withdraw the § 103(a) rejection of claims 9, 11, 12 and 13.

2. Claims 3 and 10 stand rejected under 35 U.S.C § 103(a) as allegedly being unpatentable over Amrany *et al.* in view of Freimanis, and in further view of Malerba *et al.* (U.S. Patent No.

4,189,626). Applicant traverses the § 103(a) rejection of claims 3 and 10 for at least the reasons discussed below.

With respect to claim 3, the combination of Amrany *et al.*, Freimanis and Malerba *et al.* fails to teach or suggest at least the generation of a conventional ringing signal upon detection of a ringing indication signal that has a voltage amplitude less than 30 V RMS and lacks detectable components in the frequency band for digital data signals, as recited in claim 5 and included via dependency in claim 3. The discussion above with respect to the rejection of claim 5 over the combination of Amrany *et al.* and Freimanis is hereby incorporated by reference. Malerba *et al.* disclose receiving ringing signals of nearly 100 volts, which would have the same unacceptable harmonics as the signal of Freimanis. Thus, Applicant submits that the Patent Office cannot fulfill the "all limitations" prong of a *prima facie* case of obviousness, as required by *In re Vaeck.*

Furthermore, Applicant submits that Amrany *et al.*, Freimanis and Malerba *et al.* all lack any teaching about the desirability of generating a conventional ringing signal upon detection of a ringing indication signal that has a voltage amplitude less than 30 V RMS and lacks detectable components in the frequency band for digital data signals at a time when a ringing indication signal is received. Thus, Applicant submits that the Patent Office cannot fulfill the motivation prong of a *prima facie* case of obviousness, as required by *In re Dembiczak* and *In re Zurko.*

Based on the foregoing reasons, Applicant submits that the combination of Amrany *et al.*, Freimanis and Malerba *et al.* fails to teach or suggest all of the claimed elements as arranged in claim 5, and included in claim 3 via dependency. Thus, Applicant submits that claim 3 is

allowable, and respectfully requests that the Patent Office reconsider and withdraw the § 103(a) rejection of claim 3.

With respect to claim 10, the combination of Amrany *et al.*, Freimanis and Malerba *et al.* fails to teach or suggest at least the generation of a conventional ringing signal upon detection of a ringing indication signal that has a voltage amplitude less than 30 V RMS and lacks detectable components in the frequency band for digital data signals, as recited in claim 12 and included via dependency in claim 10. The discussion above with respect to the rejection of claim 12 over the combination of Amrany *et al.* and Freimanis is hereby incorporated by reference. As noted above with respect to claim 5, Malerba *et al.* disclose receiving ringing signals of nearly 100 volts, which would have the same unacceptable harmonics as the signal of Freimanis. Thus, Applicant submits that the Patent Office cannot fulfill the "all limitations" prong of a *prima facie* case of obviousness, as required by *In re Vaeck.*

Furthermore, Applicant submits that Amrany *et al.*, Freimanis and Malerba *et al.* all lack any teaching about the desirability of generating a conventional ringing signal upon detection of a ringing indication signal that has a voltage amplitude less than 30 V RMS and lacks detectable components in the frequency band for digital data signals at a time when a ringing indication signal is received. Thus, Applicant submits that the Patent Office cannot fulfill the motivation prong of a *prima facie* case of obviousness, as required by *In re Dembiczak* and *In re Zurko.*

Based on the foregoing reasons, Applicant submits that the combination of Amrany *et al.*, Freimanis and Malerba *et al.* fails to teach or suggest all of the claimed elements as arranged in claim 12, and included in claim 10 via dependency. Thus, Applicant submits that claim 10 is

allowable, and respectfully requests that the Patent Office reconsider and withdraw the § 103(a) rejection of claim 10.

3. Claim 16 stands rejected under 35 U.S.C § 103(a) as allegedly being unpatentable over Amrany *et al.* in view of Freimanis, and in further view of Russell *et al.* (U.S. Patent No. 5,757,803). Applicant traverses the § 103(a) rejection of claim 16 for at least the reasons discussed below.

With respect to claim 16, the combination of Amrany *et al.*, Freimanis and Russell *et al.* fails to teach or suggest at least generating a conventional ringing signal upon detection of a ringing indication signal that has a voltage amplitude less than 30 V RMS and lacks detectable components in the frequency band for digital data signals, as recited in claim 12 and included via dependency in claim 16. The discussion above with respect to the rejection of claim 12 over the combination of Amrany *et al.* and Freimanis is hereby incorporated by reference. Applicant submits that Russell *et al.* do not provide any disclosure that overcomes the deficiencies of the combination of Amrany *et al.* and Freimanis. Thus, Applicant submits that the Patent Office cannot fulfill the "all limitations" prong of a *prima facie* case of obviousness, as required by *In re Vaeck.*

Furthermore, Applicant submits that Amrany *et al.*, Freimanis and Russell *et al.* all lack any teaching about the desirability of generating a conventional ringing signal upon detection of a ringing indication signal that has a voltage amplitude less than 30 V RMS and lacks detectable components in the frequency band for digital data signals at a time when a ringing indication

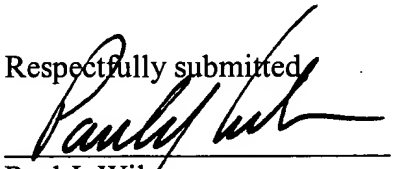
signal is received. Thus, Applicant submits that the Patent Office cannot fulfill the motivation prong of a *prima facie* case of obviousness, as required by *In re Dembiczak* and *In re Zurko*.

Based on the foregoing reasons, Applicant submits that the combination of Amrany *et al.*, Freimanis and Russell *et al.* fails to teach or suggest all of the claimed elements as arranged in claim 12, and included in claim 16 via dependency. Thus, Applicant submits that claim 16 is allowable, and respectfully requests that the Patent Office reconsider and withdraw the § 103(a) rejection of claim 16.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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